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In re Application

Cooper, et al.

Application No. 10/678,935

Filed: October 3, 2003

Dkt. No.: FXPL-01085US0

**MAILED**

**JUL 15 2010**

**OFFICE OF PETITIONS**

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: PATENT TERM ADJUSTMENT  
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This is in response to the "APPLICATION FOR PATENT TERM ADJUSTMENT UNDER 37 C.F.R. § 1.705(b)," filed February 2, 2010.

Applicant submits that the correct patent term adjustment to be indicated on the patent is 1,115 days, not 877 days as calculated by the Office as of the mailing of the initial determination of patent term adjustment. Applicant requests this correction on the basis that the Office will take in excess of three years to issue this patent.

Requests for reconsideration of the patent term adjustment require the submission of the required application for patent term adjustment application fee of \$200.00. See, 37 CFR 1.705(b)(1) and 1.18(e).

The instant request for reconsideration of the patent term adjustment lacks the required fee and is thus subject to dismissal. While the application for patent term adjustment includes an authorization to charge the required application fee to Deposit Account No. 06-1325, the authorization is not signed by an authorized account user.

The application file is being forwarded to the Office of Data Management for issuance of the patent. The patent term adjustment indicated on the patent (as shown on the Issue Notification mailed about three weeks prior to patent issuance) will include any additional adjustment accrued both for Office delay in issuing the patent more than four months after payment of the issue fee and satisfaction of all outstanding requirements, and for the Office taking in excess of three years to issue the patent (to the extent that the three-year period does not overlap with periods already accorded).

Telephone inquiries specific to this decision should be directed to the undersigned at (571) 272-3205.

*/ALESIA M. BROWN/*

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